



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

July 16, 2019

Evelyn Bethancourt
Omar Grant
6619 23rd Avenue
Hyattsville, Maryland 20782

RE: WP-19-126, North Laurel Park, Lot 14
(ECP-18-011)

Dear Owners:

The Director of the Department of Planning and Zoning considered your request for an alternative compliance from the Howard County Subdivision and Land Development Regulations. As of the date of this letter, the Planning Director **approved** your request for an alternative compliance of **Section 16.116.(a)(2)(i) – Protection of Streams**: Grading, removal of vegetative cover and trees, paving, and new structures shall not be permitted within fifty feet of an intermittent stream bank.

Approval is subject to the following conditions:

1. Compliance with applicable County and State Regulations and obtain all necessary permits for the Department of Inspections, Licenses, and Permits prior to initiating development onsite.
2. In accordance with the Howard County Subdivision and Land Development Regulations, no grading, removal of vegetative cover or trees, paving and new structures shall be permitted within the 100 year floodplain, wetland, streams and their buffers, except as permitted by this alternative compliance petition.
3. Any expansion to the scope of work beyond what is shown on the plan exhibits will require additional evaluation from Howard County review agencies.
4. The Alternative Compliance shall apply only to the uses and structures described and as shown on the exhibit and not to any other activities, uses, structures, or additions to this property.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties: Access to Lot 14 is only available within the right-of-way of Decatur Place. This location is limited in width and encroaches within the 50-foot intermittent stream buffer. The location of the proposed driveway is the only location that can accommodate access to the property. Without the approval of the necessary disturbance for the proposed driveway, the lot would not be able to be developed.

Alternative Proposal: Not allowing the encroachment into the 50-foot stream buffer would eliminate the development potential of this property. The only way to access the developable area of the property is through disturbance of the stream buffer. There is no alternative access to the undeveloped lot.

Not Detrimental to the Public Interest: The stream head is located on an adjoining buildable lot and flows away from Lot 14. The 8,175 square foot property will use two micro-bioretenion ponds and an inlet to handle the runoff from the proposed house and driveway.

Will Not Nullify the Intent or Purpose of the Regulations: Approval of this alternative compliance request will not nullify the intent or purpose of the regulations. Denying the request would completely eliminate the proposed development and the intended use of the site. Allowing the encroachment with the minimum disturbance required will allow fairness and consistency in the application of plan processing procedure.

Indicate this alternative compliance petition file number, request, section of the regulations, action, conditions of approval, and date on all related plats, and site development plans, and building permits. This alternative compliance approval will remain valid for one year from the date of this letter or as long as a subdivision or site development plan is being actively processed in accordance with the processing provisions of the Regulations.

If you have any questions, please contact Kathryn Bolton at (410) 313-2350 or email at bolton@howardcountymd.gov.

Sincerely,


Kent Sheubrooks, Chief
Division of Land Development

S/ktb
: Research
DED
Real Estate Services
NJR & Associates